



**DATE:** July 2, 2013

**CATEGORY:** New Business

**DEPT.:** Community Development

**TITLE:** **Gatekeepers**

### **RECOMMENDATION**

Staff recommends the City Council take the following actions on the requested Gatekeeper applications:

1. Authorize the assignment of staff resources for consideration of a rezoning to P (Planned Community) District for a new office project up to 0.65 FAR on 4.5 acres at 600 National Avenue, to commence on September 1, 2013.
2. Do not authorize the assignment of staff resources for consideration of a rezoning to the R3-1.5 (Multiple-Family Residential) District for an addition to an existing apartment complex on 9.8 acres at 700 West Middlefield Road.
3. Authorize the assignment of staff resources for consideration of an amendment to Area A of the Americana Precise Plan to allow all retail uses on 4.5 acres in the shopping center at 715 El Camino Real East, to commence immediately.

### **BACKGROUND**

#### **Gatekeeper**

The Permit Streamlining Act (State law) requires a city to process any development application submitted by a property owner that complies with city zoning and General Plan regulations. The Permit Streamlining Act does not apply to an application that requires legislative actions such as General Plan, Precise Plan, and/or Zoning Amendments. In these cases, the City Code gives the City Council the authority to control the processing of these applications based on available resources and consistency with city policies. This Council authorization is commonly referred to as the "Gatekeeper" process. For each request, Council can authorize staff work on the

proposal, defer staff work to a later date, or reject the study of a proposal based on the availability of staff resources and the proposal's alignment with other city policies.

### **Workload and Funding**

Planning staff is working on the following projects and responsibilities, with no additional capacity for additional Gatekeepers at this time:

- El Camino Real Precise Plan
- North Bayshore Precise Plan
- San Antonio Precise Plan
- Transportation Management Association (TMA) Formation
- Active Gatekeepers
  - Merlone Geier Phase II
  - 700 East Middlefield Road (RREEF) Office Project
  - 2600 Marine Way (Intuit) Office Project
  - 100 Moffett Boulevard (Prometheus) Residential Project
  - 1616 El Camino Real West (Austin's) Residential Project
  - Pacific Drive (Antenna Farm) Residential Project
  - 1984 El Camino Real West (UDR) Mixed-Use/Residential Project
  - 1951 Colony Street Residential Project
- Other Notable Development Applications
  - 1255 Pear Avenue (Sobrato) Office Project
  - 1740 El Camino Real West (Residence Inn) Hotel Project
  - 450 North Whisman Road (Hetch Hetchy) Residential Project

- 333 North Rengstorff Avenue Residential Project
- 1991 Sun-Mor Avenue Residential Project

Council has authorized four additional Gatekeepers to begin between July and September:

- 420 San Antonio Road (Pillar Group/Kalcic) Mixed-Use/Residential Project (July)
- South Whisman Precise Plan Amendment (July)
- 801 El Camino Real West (Greystar) Mixed-Use/Residential Project (August)
- 827 North Rengstorff Avenue (City Ventures) Mixed-Use/Residential Project (September)

The following are Gatekeeper projects that have been completed since the last authorization hearing on April 16, 2013:

- 137 Easy Street (Robson Homes) Rowhouse Project

## **ANALYSIS**

The Gatekeeper applications being considered have only undergone a cursory review for the purpose of preparing this report. Detailed analysis, including compliance with General Plan goals, policies, form, and character, and other City policies, regulations, and guidelines will begin only if the Council authorizes City resources to review these applications.

There are three Gatekeeper requests proposed, each with a brief summary and recommendation.

1. **Address:** 600 National Drive  
**Applicant:** Randy Lamb  
**Acreage:** 4.5 Acres  
**Change Area:** East Whisman  
**Existing Zoning:** ML (Limited Industrial)

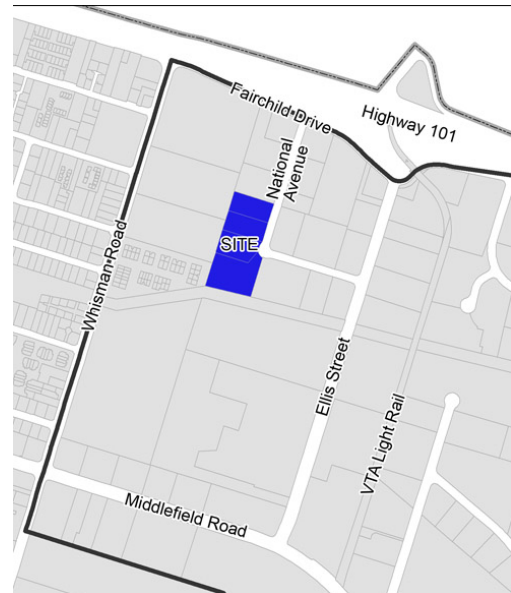
## Proposal

Randy Lamb requests authorization to rezone 4.5 acres of land to the P (Planned Community) District to allow a new office project at a floor area ratio (FAR) of up to 0.65 (see Attachment 3 – 600 National Avenue Gatekeeper Package).

The 2030 General Plan allows FARs of up to 1.0 in the East Whisman Change Area, but requires reduced FARs and heights as one gets closer to the residential neighborhood across Whisman Road. This proposed 0.65 FAR project is consistent with that vision.

## Recommended Process

- Environmental Planning Commission (EPC) Study Session
- Development Review Committee (DRC)
- Environmental Review (CEQA)
- EPC Public Hearing
- City Council Public Hearing



Location Map

## East Whisman Change Area

The East Whisman Change Area was originally one of the top three priorities for General Plan implementation. Based on input from residents around the San Antonio Center, the Council prioritized the San Antonio Center Precise Plan ahead of the East Whisman implementation.

Council has authorized three other Gatekeepers in the East Whisman Change Area:

- 625 Clyde Avenue (TMG/Samsung) – approved for 1.0 FAR
- 700 East Middlefield Road (RREEF/Sares Regis) – under review for up to 1.0 FAR

- 350 Ellis Street and 575 East Middlefield Road (Symantec)—authorized, but inactive, for up to 1.0 FAR

This project will be reviewed based on the standards and requirements the City developed for the 625 Clyde Avenue and 700 East Middlefield Road projects.

### **Community Benefits**

During Council Study Sessions on Whisman-area projects, Council has indicated an expectation for the construction or funding of mobility and/or park-related community benefits for Gatekeeper projects. Staff will pursue community benefits that are proportionate to the FAR level that is being requested.

### **Recommendation**

The proposed project furthers the General Plan vision and represents the first post-General Plan office FAR proposal that is not at the maximum 1.0 FAR level. At this time, there is no staff capacity to begin this Gatekeeper. Staff recommends Council authorize the assignment of staff resources to study this rezoning starting on September 1, 2013, at which time more staff capacity will be available due to completion of two notable non-Gatekeeper applications. The anticipated City Council public hearing date would be June 2014.

The applicant prefers a faster processing schedule. In order to provide that, Council would have to select tasks or projects that can be delayed to allow this request to proceed immediately.

### **Alternatives**

1. Authorize the Gatekeeper, but modify the commencement date of formal review.
  2. Defer consideration of the Gatekeeper to a future date.
  3. Do not authorize the Gatekeeper.
2. **Address:** 777 West Middlefield Road  
**Applicant:** Braddock and Logan  
**Acreage:** 9.8 Acres  
**Change Area:** None  
**Existing Zoning:** R3-2 (Multiple-Family Residential)

## Proposal

Braddock and Logan requests authorization to rezone 9.8 acres from the R3-2 to the R3-1.5 (Multiple-Family Residential) to allow the opportunity to add 38 units to the existing 208-unit Village Lake Apartment complex (see Attachment 4—777 West Middlefield Road Gatekeeper Package).

In general, the new units would be in buildings located in the existing open space areas, including where some artificial lakes are located. While replacing the lakes with buildings does not reduce the usable open space in the project, it does reduce the perceived openness within the project.



Aerial Photograph

Staff believes that any intensification of this site should be done in a more comprehensive manner, which may involve the removal of some existing buildings and the replacement of larger buildings, while generally maintaining the large open spaces on the site. Staff has no concern with replacing lakes with usable open space area.

## Affordable Housing

Council has indicated a preference for on-site affordable rental units in lieu of the payment of the Rental Housing Impact Fee and some Councilmembers have suggested that additional affordable units are appropriate in exchange for proposed rezoning requests. Staff requests Council input on their affordable housing expectations for this project should Council wish to authorize this Gatekeeper request.

## Community Benefits

Council has outlined an expectation for the construction or funding of mobility- or park-related community benefits in exchange for P District projects moving ahead of Precise Plans. Staff requests Council input on whether similar expectation exists

for a rezoning to a standard district should Council wish to authorize this Gatekeeper request.

### **Recommendation**

The proposed concept would reduce open space in the project in order to add new buildings. Staff resources are not available to take on new projects at this time. Staff recommends Council not authorize the assignment of staff resources to study this rezoning.

### **Alternatives**

1. Authorize the Gatekeeper with a commencement date on September 1, 2013.
2. Defer consideration of the Gatekeeper to a future date.
3. **Address:** 715 El Camino Real East  
**Applicant:** T.J. Maxx  
**Acreage:** 4.5 Acres  
**Change Area:** El Camino Real  
**Existing Zoning:** P(36) Americana Precise Plan, Area A

### **Proposal**

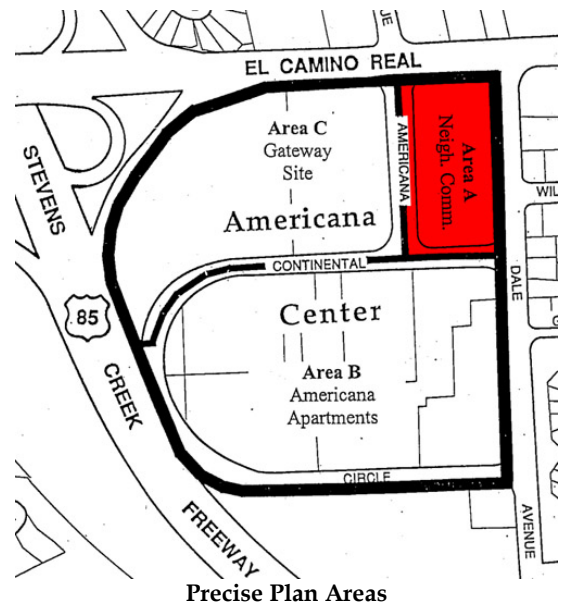
T.J. Maxx requests authorization to amend text in Area A of the Americana Precise Plan to allow all retail uses, where the Plan currently only allows neighborhood commercial uses (see Attachment 5—715 El Camino Real East Gatekeeper Package). Area A consists of a single block bounded by El Camino Real, The Americana, Continental Circle and Dale Avenue. Tenants in Area A include Lucky Supermarket and three small tenant spaces (salon, restaurant, and ice cream shop). T.J. Maxx and Home Goods would like to occupy the Lucky Supermarket tenant space.

### **Precise Plan Language**

The Precise Plan has conflicting language regarding Area A. Area A is referenced as Neighborhood Commercial throughout the Precise Plan, but there is no specific definition of neighborhood-commercial within the Plan. Area A allows “neighborhood-serving retail and service uses that provide goods and services to the immediate neighborhood.” This language is similar to the Zoning Ordinance definition of the CN (Commercial—Neighborhood) District that provides

“convenient shopping for surrounding residential neighborhoods,” but the CN District specifically states it is “not intended for uses that may attract traffic from outside the local area.”

However, in the purpose of the Precise Plan, Area A is intended to “encourage retention of high-quality retail and service businesses that provide goods and services to residents of Mountain View and surrounding communities.” This purpose statement makes no reference to neighborhood-serving commercial uses and is similar to the Zoning Ordinance definition of the CRA (Commercial/Residential-Arterial) District that states “businesses in this district are intended to serve the local population as well as providing goods to visitors from outside the city.” The majority of the El Camino Real frontage is in the CRA District.



### **General Plan 2030 and the El Camino Real Precise Plan**

The proposed change would be consistent with the General Plan 2030 land use designation for El Camino Real, and this area will be incorporated into the future El Camino Real Precise Plan.

### **Recommended Process**

Staff considers this amendment to be minor, involving a fraction of the resources necessary for the average Gatekeeper proposal. Therefore, staff recommends a shortened process where the proposed amendments would go directly to an EPC public hearing, rather than starting with an EPC Study Session.

- EPC Public Hearing (August)
- City Council Public Hearing (September)

Any changes to the building facade that T.J. Maxx proposes would be handled with an administrative planning permit.



## **Recommendation**

A grocery store is considered a neighborhood commercial use, but staff does not believe a retailer such as T.J. Maxx can be classified as neighborhood-serving. However, staff believes the location and layout of the site are entirely appropriate to have the full range of retail stores and services such as a T.J. Maxx.

Staff recommends amending the Americana Precise Plan to allow a broad range of retail stores in Area A, similar to the CRA District. This would eliminate any confusion and conflicting language, and would allow T.J. Maxx to move forward.

Staff recommends Council authorize the assignment of staff resources to prepare this amendment to the Americana Precise Plan, with the target date of fall 2013 for final Council review.

## **Alternatives**

1. Authorize the Gatekeeper, but defer the commencement date to September 1, 2013.
2. Authorize the Gatekeeper, but maintain the standard EPC Study Session.
3. Defer consideration of the Gatekeeper to a future date.
4. Do not authorize the Gatekeeper.

## **FISCAL IMPACT**

Funding for Planning staff review of each authorized Gatekeeper application shall be on a cost-recovery, hourly basis paid by the applicant, reducing the fiscal impact of the application review to the City. Costs for staff time from other departments, particularly the Public Works Department, are not recovered based on current City policy.

## **CONCLUSION**

Gatekeeper reports are a compilation of several distinct, independent requests. Please refer to the foregoing individual requests for recommendation/conclusion.

## **ALTERNATIVES**

Gatekeeper reports are a compilation of several distinct, independent requests. Please refer to the foregoing individual requests for alternatives.

## **PUBLIC NOTICING** – Agenda posting.

Prepared by:

Peter Gilli  
Planning Manager (Acting)/  
Zoning Administrator

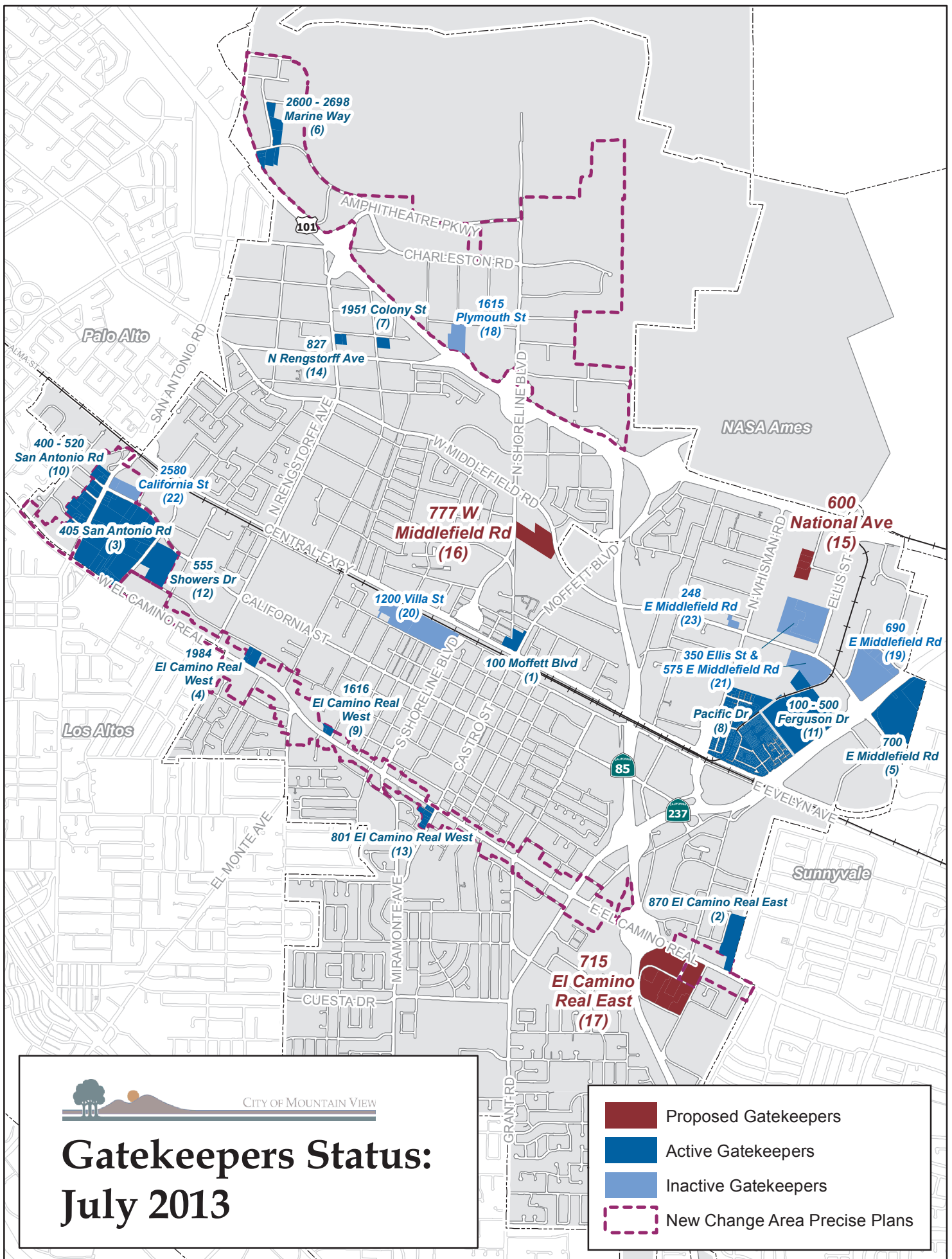
Approved by:

Randal Tsuda  
Community Development Director

Daniel H. Rich  
City Manager

PG/7/CAM  
887-07-02-13CR-E

- Attachments:
1. Map of Gatekeepers
  2. Table of Gatekeepers
  3. 600 National Avenue Gatekeeper Package
  4. 777 West Middlefield Road Gatekeeper Package
  5. 715 El Camino Real East Gatekeeper Package



**STATUS OF GATEKEEPER PROPOSALS**

June 13, 2013

**Active - Development Review and CEQA studies**

	<i>Site Location</i>	<i>Developer</i>	<i>Authorization Date</i>	<i>Start Date</i>	<i>Acreage</i>	<i>Change Area</i>	<i>Proposal</i>	<i>Projected Council Hearing</i>
1	100 Moffett Blvd	Prometheus	6/28/2011	-	2.9	Moffett	Up to 1.85 FAR for apartments	Q3 2013
2	870 El Camino Real East	Archstone	10/11/2011	-	9.2	El Camino	Up to 1.85 FAR for mixed-use apartments	TBD
3	405 San Antonio Rd (San Antonio Center Precise Plan)	Merlone Geier	12/13/2011	-	8.8	San Antonio	Mixed retail, office and hotel development	Q2 2014
4	1984 El Camino Real West	UDR	3/6/2012	-	2.5	El Camino	Up to 1.85 FAR for mixed-use apartments	Q4 2013
5	700 E. Middlefield Rd	RREEF	6/19/2012	-	22	East Whisman	Up to 1.0 FAR	Q2 2014
6	2600 Marine Way	Intuit	7/10/2012	-	3.5	North Bayshore	Up to 1.0 FAR	TBD
7	1951 Colony St	City Ventures	10/11/2011	7/11/2012	1.6		R3-2 zoning for 28 rowhouses	Q3 2013
8	Pacific Drive (Antenna Farm) (Whisman Station Precise Plan)	Signature Homes	11/20/2012	-	2.0		Allow small-lot single-family homes	Q4 2013
9	1616 El Camino Real West	Prometheus	1/29/2013	3/26/2013	1.0	El Camino	Up to 1.85 FAR for apartments	Q4 2013
10	400 - 520 San Antonio Road	The Pillar Group	1/29/2013	7/1/2013	4.6	San Antonio	Up to 1.85 FAR for apartments	TBD
11	100 - 500 Ferguson Drive (South Whisman Precise Plan)	Pulte	1/29/2013	7/1/2013	38.0		Amend master plan requirements	TBD
12	555 Showers Dr	Target	4/16/2013	7/15/2013	11.6	San Antonio	Retail development	TBD
13	801 El Camino Real West	Greystar	4/16/2013	8/1/2013	2.3	El Camino	Up to 1.85 FAR for apartments	TBD
14	827 N. Rengstorff Ave	City Ventures	4/16/2013	9/1/2013	1.4		CRA zoning for a mixed use project	TBD

**Proposed**

	<i>Site Location</i>	<i>Developer</i>	<i>Authorization Date</i>	<i>Recommended Start Date</i>	<i>Acreage</i>	<i>Change Area</i>	<i>Proposal</i>	<i>Projected Council Hearing</i>
15	600 National Avenue	Randy Lamb		9/1/2013	4.5	East Whisman	Up to 0.65 FAR	Q2 2014
16	777 West Middlefield Rd	Braddock and Logan			9.8		R3-1.5 for 38 additional apartments	
17	715 El Camino Real East (Americana Precise Plan)	TJ Maxx		7/3/2013	4.5	El Camino	Allow all retail uses	Q3 2013

**Inactive**

	<i>Site Location</i>	<i>Developer</i>	<i>Authorization Date</i>		<i>Acreage</i>	<i>Change Area</i>	<i>Proposal</i>	
18	1615 Plymouth St	Alexandria	2/12/2008		5.5	North Bayshore	Up to 0.50 FAR office	
19	690 E. Middlefield Rd	Dostart/Kilroy	5/3/2011		15.6	East Whisman	Up to 1.0 FAR office	
20	1200 Villa St	Google	6/28/2011		11.8		Up to 0.65 FAR office	
21	350 Ellis St & 575 E. Middlefield Rd	Symantec	6/28/2011		19.6	East Whisman	Up to 1.0 FAR office	
22	2580 California St	Prometheus	10/11/2011		4.7	San Antonio	Up to 1.85 FAR for apartments	
23	248 E. Middlefield Rd	DRG Builders	12/13/2011		1.2		CRA zoning for a rowhouse project	

**Notes:**

EPC will review the legislative components and any associated development project for Gatekeepers authorized by Council after March 2012 (shown in gray).

**National Avenue Partners, LLC**

May 2, 2013

Mountain View City Council  
c/o Planning & Zoning  
Mr. Peter Gilli  
500 Castro Street  
Mountain View, CA 94039

RE: Gatekeeper Application  
401-640 National Avenue  
Mountain View, CA (the "Project")

Dear Mr. Gilli,

Please accept this letter as our Gatekeeper application for review and consideration of a zoning modification regarding the above referenced Project.

The Project site consists of four (4) parcels comprising approximately 4.82 acres located just North of National Avenue in the East Whisman Change Area of the Moffett/Whisman planning district. The Project site is currently improved with four (4) single-story, 1960s-1970s vintage, light industrial and warehouse buildings. Most of the structures are currently occupied by a mix of property owner/users and various office/R&D tenants with the exception of one building, 630 National, recently vacated. The parcels comprising the Project are currently zoned Limited Industrial (ML) with a General Plan designation of High Intensity Office. The Project site is surrounded entirely by other commercial land uses and is proposed to be office or consistent in terms of use as well as intensity.

National Avenue Partners, LLC proposes to redevelop the Project site with a single, LEED certified, high-end office building, consistent with the General Plan at a 0.65 coverage or FAR ratio. Our proposed plan is consistent with prospective tenant requirements of approximately 125,000 to 150,000 of class A office space. The proposed commercial development is envisioned to be compatible with the surrounding land use patterns along with past and future and land use designations. Moreover, the Project is within 2,000 feet of both the Middlefield light rail station and the Bayshore - NASA (VTA) station. The Project shall also facilitate additional cleanup, remediation efforts and opportunities in the MEW superfund area. Given the nature of the proposal, relative to surrounding development and recently approved projects in the area, the applicant is hopeful that the planning process will be expedited.

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401-640 National Avenue  
May 2, 2013

National Avenue Partners, LLC appreciates your consideration of the proposed development and looks forward to working with City staff on a development proposal that maximizes the intensity of the commercial development on the Project site, consistent with the General Plan. Please do not hesitate to contact me with any questions.

Sincerely,

National Avenue Partners, LLC

A handwritten signature in blue ink, appearing to read 'Randy Lamb', is written over a horizontal line. The signature is stylized with a large 'R' and a checkmark-like flourish at the end.

Randy Lamb

525 Middlefield Road  
Suite 118  
Menlo Park, CA 94025  
(650) 326-1600

cc: Ken Rodrigues  
Victor Fracaro





BRADDOCK & LOGAN SERVICES, INC.  
BUILDERS - DEVELOPERS  
ESTABLISHED 1947  
P. O. BOX 5300  
DANVILLE, CALIFORNIA 94526-1076  
TELEPHONE (925) 736-4000  
FACSIMILE (925) 648-5700

May 28, 2013

Federal Express

Peter Gilli  
Planning Manager  
City of Mountain View  
500 Castro St.  
Mountain View, CA 94041-2010

**Re: Gatekeeper Request – Village Lake Apartments**

Dear Mr. Gilli:

Please accept this letter as our "Gatekeeper" request for the consideration of an infill project that would allow additional apartment units within the existing Village Lake Apartment site. Enclosed is our check for the requisite \$10,000 deposit.

Village Lake is located in Mountain View at 777 West Middlefield Road. The current 9.84 acre apartment site was constructed in 1969 and has a total 208 units. The proposed project includes adding 38 units. These units would be located within four new buildings. The new buildings are planned to be three stories in height.

Located throughout the site are existing artificial "lakes." Some of the lakes have not been functioning very well as a result of inadequate circulation, resulting in odor issues. The artificial "lake" south of the existing recreation facility would be eliminated and the proposed units would be located within this area.

The existing General Plan for Village Lake is Medium Density which allows a density range of 13-25 units per acre. The existing density of the project is 20.9 units per acre. With the addition of the 38 units the resulting density would be 24.7 units per acre. This proposal would be consistent with the existing General Plan designation; however, we respectfully request a rezoning of the existing zoning of R3-2 (which allows 21 units per acre) to R3-1.5 which would accommodate the additional 38 units, as well as be consistent with the existing General Plan. The proposed plan intends on meeting the standards set forth in the R3-1.5 zoning.

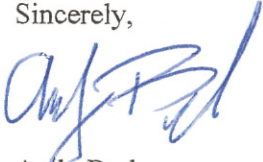
Braddock and Logan has owned Village Lake since 1989 and owns many apartment complexes throughout the greater Bay Area. We are a long term owner and have been in business since 1947. Most importantly, Braddock and Logan has a long standing reputation for excellence and business integrity. All our properties are meticulously managed by Braddock and Logan employees and not a third party management company.

Peter Gilli – Planning Manager  
City of Mountain View

May 28, 2013  
Page 2

We respectfully request that the City Council allocate City Staff to formally consider our "Gatekeeper" request. This project will result in additional investment and generally enhance the entire area. The project will provide additional rental housing units within a community that is in need of additional housing. This project will be a win-win-win for the community, the residents, and the City, by providing desperately needed rental units within an existing site, with minimal disruption to the adjacent community. Please contact me should you have any questions.

Sincerely,



Andy Byde  
Land Acquisitions and Forward Planning  
Office: 925-736-4000  
Fax: 925-648-5730  
Email: [abyde@braddockandlogan.com](mailto:abyde@braddockandlogan.com)

Enclosure





June, 10, 2013

Mr. Peter Gilli  
Zoning Administrator  
**City of Mountain View**  
Community Development Department  
City Hall, 1<sup>st</sup> Floor  
500 Castro Street  
Mountain View, CA 94041

RE: Existing Lucky Market, Proposed Combo Store (TJMaxx & HomeGoods)  
715 East El Camino Real  
Mountain View, CA

Dear Peter,

As the Architect of Record, and on behalf of the TJX Companies, Inc. We are hereby requesting that the City proceed with the Gatekeeper Authorization, as described in your email – dated 6/5/2013.

Our intention is to process an Amendment to the Precise Plan in order to allow more than a "Neighborhood" Commercial Use at the noted Lucky Market property.

Thank you for your assistance in this matter.

Sincerely,

**SGA** ~ SCOTT GIBSON ARCHITECT, Inc.

Scott G. Gibson  
Principal (C18327)



Cc: Tami DeFrank, Robert Thompson/TJX & Robert Kashian/Retail West